

VANDERSLICE DECL. EXHIBIT A2

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

MAXIMILIAN KLEIN, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

META PLATFORMS, INC., a Delaware
Corporation,

Defendant.

Case No. 3:20-cv-08570-JD

**DECLARATION OF SAMANTHA BIRKENFELD-MALPASS
IN SUPPORT OF NON-PARTY X CORP.'S OBJECTION
TO DISCLOSURE OF X CORP.'S CONFIDENTIAL INFORMATION**

I, Samantha Birkenfeld-Malpass, declare as follows:

1. I am Senior Litigation Counsel at non-party X Corp., and, by reason of my position, I am authorized and qualified to make this declaration.
2. I have personal knowledge of the facts set forth in this declaration and could testify competently as to the matters set forth in this declaration.
3. Based on my personal knowledge and on information provided to me by others at X Corp., I am generally familiar with (1) X Corp.'s record keeping practices and systems for the document identified below, (2) the manner in which the X Corp. document identified below was created, stored, and maintained, and (3) the manner by which X Corp. made, kept, and used this document.
4. I understand that the Advertiser Plaintiffs in the above-captioned litigation notified X Corp. on August 2, 2024, that they had filed a renewed motion for class certification

that cited information designated as Highly Confidential by X Corp under the Protective Order dated July 11, 2022, ECF No. 315.

5. Specifically, a portion of the Expert Report of Dr. Williams in Support of Plaintiff's Motion for Class Certification referred to language from an internal X Corp. report produced in this litigation with bates number TWTR-KLEIN00048858.

6. X Corp. believes that good cause and compelling reasons exist to keep sealed the following language:

Filing	Language in Filing to be Kept Under Seal
Dr. Williams Expert Report submitted in support of Advertiser Plaintiffs' Renewed Motion for Class Certification and Supporting Documents	From "An internal Twitter report on" to the end of the paragraph.

7. The language identified in TWTR-KLEIN00048858 is highly sensitive because it contains X Corp's internal analysis and evaluation of market share and product growth.

8. X Corp. takes very seriously the need to keep this information confidential. X Corp. believes that the disclosure of this information would be competitively damaging to X Corp. because, among other reasons, it would give confidential information about X Corp. and its market and product feature analysis to X Corp.'s competitors. Public use of this information would provide X Corp.'s competitors with an advantage in competing with X Corp. for future business opportunities, harming competition.

I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: August 8, 2024

Signed by:

Samantha Birkenfeld-Malpass

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Samantha Birkenfeld-Malpass
Senior Litigation Counsel,
X Corp.